

Office of Commonwealth's Attorney

Commonwealth's Attorney

Focus

The Commonwealth's Attorney is a constitutional officer of the Commonwealth of Virginia. As such, he is not an officer or employee of the County from which he was elected. In this jurisdiction, the Commonwealth's Attorney is elected by voters of Fairfax City and Fairfax County.

The Office of the Commonwealth's Attorney (OCA) is charged primarily with the prosecution of crime. This office prosecutes criminal and traffic matters in the Fairfax County General District Court, criminal and delinquency matters in the Juvenile and Domestic Relations District Court, and all felony cases in the Fairfax County Circuit Court. The office handles both the violation of County ordinances and the violation of State statutes.

The caseload of the office is substantial and is one of the highest per prosecutor in the Commonwealth. For example, it handles such offenses as murder, rape, robbery, burglary and illegal drug sales, from arrest to trial. It prosecutes a wide variety of misdemeanor and traffic cases, including more than 4,000 driving under-the-influence violations, thousands of assaults and thousands of petty thefts.

State law specifically mandates certain duties for the Commonwealth's Attorney. He is charged with advising the Grand Jury relative to their duties, representing the Electoral Board in certain election matters, and advising any officers or employees of Fairfax City or Fairfax County on matters involving conflict of interest. On a daily basis, the OCA works with numerous law enforcement units (e.g., State Police, Fairfax County Police, Fairfax City Police, the Town of Herndon and Town of Vienna Police, game wardens and humane agents) in the course of investigations and in response to questions concerning criminal law.

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Budget and Staff Resources

Agency Summary					
Category	FY 2003 Actual	FY 2004 Adopted Budget Plan	FY 2004 Revised Budget Plan	FY 2005 Advertised Budget Plan	FY 2005 Adopted Budget Plan
Authorized Positions/Staff Years					
Regular	36/ 35.5	36/ 35.5	36/ 35.5	36/ 35.5	36/ 35.5
Exempt	1/ 1	1/ 1	1/ 1	1/ 1	1/ 1
Expenditures:					
Personnel Services	\$1,585,605	\$1,853,985	\$1,823,985	\$1,925,055	\$1,925,055
Operating Expenses	100,368	81,736	113,402	81,550	81,550
Capital Equipment	0	0	0	0	0
Total Expenditures	\$1,685,973	\$1,935,721	\$1,937,387	\$2,006,605	\$2,006,605
Income:					
Commonwealth's Attorney Fees	\$11,278	\$12,178	\$12,178	\$12,178	\$12,178
City of Fairfax Contract	19,733	20,127	24,330	24,330	24,330
State Shared Retirement - Commonwealth's Attorney	35,577	40,770	40,770	40,770	40,770
State Shared Commonwealth's Attorney Expenses	1,155,141	1,186,392	1,186,392	1,186,392	1,186,392
State Reimbursement Commonwealth's Attorney Witness	7,848	16,400	16,400	16,400	16,400
Total Income	\$1,229,577	\$1,275,867	\$1,280,070	\$1,280,070	\$1,280,070
Net Cost to the County	\$456,396	\$659,854	\$657,317	\$726,535	\$726,535

Position Summary					
1	Commonwealth's Attorney E	18	Assist. Commonwealth's Attorneys II	2	Paralegal Assistants
1	Deputy Commonwealth's Attorney			1	Administrative Assistant IV
3	Assistant Commonwealth's Attorneys IV	1	Chief of Administrative Services	3	Administrative Assistants III
3	Assistant Commonwealth's Attorneys III	1	Management Analyst I	2	Administrative Assistants II, 1 PT
		1	Computer Systems Analyst I		
TOTAL POSITIONS			E Denotes Exempt Position		
37 Positions / 36.5 Staff Years			PT Denotes Part-Time Position		

FY 2005 Funding Adjustments

The following funding adjustments from the FY 2004 Revised Budget Plan are necessary to support the FY 2005 program:

- Employee Compensation** **\$71,070**
 An increase of \$71,070 in Personnel Services associated with salary adjustments necessary to support the County's compensation program.
- Carryover Adjustments** **(\$1,666)**
 A decrease of \$1,666 in Operating Expenses due to the Carryover of one-time expenses as part of the FY 2003 Carryover Review.

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Board of Supervisors' Adjustments

The following funding adjustments reflect all changes to the FY 2005 Advertised Budget Plan, as approved by the Board of Supervisors on April 26, 2004:

- ◆ The Board of Supervisors made no adjustments to this agency.

Changes to FY 2004 Adopted Budget Plan

The following funding adjustments reflect all approved changes in the FY 2004 Revised Budget Plan since passage of the FY 2004 Adopted Budget Plan. Included are all adjustments made as part of the FY 2003 Carryover Review and all other approved changes through December 31, 2003:

- ◆ **Carryover Adjustments** **\$1,666**
As part of the FY 2003 Carryover Review, The Board of Supervisors approved encumbered funding of \$1,666 in Operating Expenses.

The following funding adjustments reflect all approved changes to the FY 2004 Revised Budget Plan from January 1, 2004 through April 19, 2004. Included are all adjustments made as part of the FY 2004 Third Quarter Review:

- ◆ The Board of Supervisors made no adjustments to this agency.

Key Performance Measures

No Performance Indicators are available for this agency.

Objectives

- ◆ To continue to prosecute all criminal cases in Fairfax County and all felony cases occurring in the City of Fairfax, for which sufficient evidence is available to support charges.